

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Tamrell Smith**
3657 N LaSalle
Indianapolis, IN 46218

From: **Indianapolis District Office**
101 West Ohio St
Suite 1900
Indianapolis, IN 46204



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

470-2012-00092

Randy G. Poynter,
Enforcement Supervisor

(317) 226-5670

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Webster N. Smith,
District Director

JAN - 5 2012

(Date Mailed)

Enclosures(s)

cc: **Kim Cook**
Paralegal
ACS
2828 N. Haskell Ave.
Building 1, Floor 9
Dallas, TX 75204

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC**470-2012-00092****Indiana Civil Rights Commission**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Ms. Tamrell Smith

Home Phone (Incl. Area Code)

(317) 319-9017

Date of Birth

04-29-1972

Street Address

City, State and ZIP Code

3657 N LaSalle, Indianapolis, IN 46218

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

ACS

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(317)931-2920

Street Address

City, State and ZIP Code

3524 North Meridian Street, Indianapolis, IN 46208

Name

EEOC Indianapolis
District Office

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

RECEIVED

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☒ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

07-06-2010**02-16-2011**☐

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I was hired to work for ACS January 22, 2008. My supervisor is Wendy Connolly.

Beginning in July 2010 I began having an onset of pain from my disability. As I missed work or went to doctors appointments I received no assistance for my interview work and associated paperwork.

Other workers without disabilities received assistance when time from work was missed or they just didn't get their work done i.e. Terry Wolfe, and other coworkers (Female, race Black, Glasses, heavy set that sat near the exit door), (Female, race Black, Slim, sat in area where I sat).

My Supervisor, Wendy did not reassign work from my desk and when I returned to work the load was magnified. I requested help from Wendy to no avail.

I was discriminated against in my assigned work due to my disability in violation of the American with Disabilities Act of 1990 as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Oct 11, 2011

Date



Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)